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March 19, 2025

BY ECF

Honorable James R. Cho
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Samuel Karnes, et al. v. City of New York, et al.,
21-CV-4903 (WFK) (JRC)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, assigned to the defense of the above-referenced matter on behalf of defendants. In that capacity, I write with consent of plaintiffs' counsel, David Rankin, Esq., to respectfully request that the settlement conference currently scheduled for April 8, 2025, at 2:00 p.m., be adjourned until a later date convenient to the Court consistent with the parties' availability as set forth below. The reason for this request is twofold.

First, the undersigned has a personal engagement on the current date in question scheduled for 5:00 p.m. in Manhattan – something that I was unaware of when the parties originally provided the Court with our availability. In that regard, I apologize for any inconvenience.

Second, due to my recent schedule dealing with other matters, I need more time to analyze the recently provided material from plaintiffs for purposes of reexamining our valuation of the case in advance of our next settlement conference. To that end, plaintiffs' counsel advised me that there is some limited, but potentially important material, that he is hoping to produce this week – material I want to review before finalizing any internal recommendation. Moreover, regarding my schedule, I was slated to begin a two week trial this week that only settled this past Thursday and had otherwise been fully prepared for; I had a reply in furtherance of a post-trial motion in another matter due on March 7, 2025; the moving papers for the same

motion due on February 10, 2025; and a summary judgment motion due in another matter on January 31, 2025. Because of all these obligations, and the desire to review the yet to be disclosed material from plaintiffs' counsel before fully writing up the case for reevaluation, we respectfully request that the Court reschedule the settlement conference in this matter for some time, convenient to the Court, beginning on May 6, 2025, up through May 16, 2025. Counsel for both sides have trial obligations both prior to and after the conclusion of that window. Thus, if that window does not work for the Court, the parties can confer and supplement this request with additional availability as needed.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Brian Francolla
Senior Counsel
Special Federal Litigation Division

cc: All Counsel (By ECF)